

### **DETAILED ACTION**

1. This action is responsive to application communication filed on 6/22/2006.
2. Claims 17-32 are pending in the case.
3. Claim 17 is an independent claim.

### ***Priority***

4. Applicant's claim for the benefit of foreign German application No. 10360655.6, filed December 23, 2003 under 35 U.S.C. 119(a)-(d) is acknowledged.

### ***Information Disclosure Statement***

5. The information disclosure statement (IDS) submitted on 6/26/2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### ***Specification***

6. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.

Art Unit: 2175

- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contains legal phraseology such as "**means**". Corrections are required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. **Claims 17 and 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Schmitz et al. (hereinafter “Schmitz”), EP1342605 of record.**

Claim 17:

On page 2 paragraph 5 of the present specification, Applicants admits that Schmitz teaches **a control system for a vehicle comprising: a screen display with a plurality of display areas for displaying entries of a menu structure with a plurality of menu levels; a manual actuating means for at least one of selecting and activating at least one entry in a current menu level from the menu structure; voice control means for at least one of redundantly selecting and redundantly activating at least one entry from the menu structure which simultaneously forms a keyword for the voice control means, wherein the entries of the menu structure are divided into various groups, a first group comprising entries which can be at least one of selected and activated only with the manual actuating means, a second group comprising entries which can be at least one of selected and activated with at least one of the manual actuating means and the voice control means, and the second group is divided into at least two groups of terms defined**

Art Unit: 2175

**by simple rules and which determine which keywords can be input at a particular time for the purpose of menu control.**

Claim 18:

Schmitz teaches **wherein keywords which are displayed on the screen display have an identifier** (e.g., names).

**9. Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Zeinstra, Mark, U.S. Patent No. 4,827,520 of record.**

Claim 17:

On page 3 paragraph 6 of the present specification, Applicants admits that Zeinstra teaches **a control system for a vehicle comprising: a screen display with a plurality of display areas for displaying entries of a menu structure with a plurality of menu levels; a manual actuating means for at least one of selecting and activating at least one entry in a current menu level from the menu structure; voice control means for at least one of redundantly selecting and redundantly activating at least one entry from the menu structure which simultaneously forms a keyword for the voice control means, wherein the entries of the menu structure are divided into various groups, a first group comprising entries which can be at least one of selected and activated only with the manual actuating means, a second group comprising entries which can be at least one of selected and activated with at least one of the manual actuating means and the voice control**

Art Unit: 2175

**means, and the second group is divided into at least two groups of terms defined by simple rules and which determine which keywords can be input at a particular time for the purpose of menu control.**

Claim 18:

Zeinstra teaches wherein keywords which are displayed on the screen display have an identifier (e.g., names).

**10. Claims 17-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Schnars et al. (hereinafter "Schnars"), U.S. Patent No. 4,797,924 of record.**

Claim 17:

On page 3 paragraph 7 of the present specification, Applicants admits that Schnars teaches **a control system for a vehicle comprising: a screen display with a plurality of display areas for displaying entries of a menu structure with a plurality of menu levels; a manual actuating means for at least one of selecting and activating at least one entry in a current menu level from the menu structure; voice control means for at least one of redundantly selecting and redundantly activating at least one entry from the menu structure which simultaneously forms a keyword for the voice control means, wherein the entries of the menu structure are divided into various groups, a first group comprising entries which can be at least one of selected and activated only with the manual actuating means, a**

Art Unit: 2175

**second group comprising entries which can be at least one of selected and activated with at least one of the manual actuating means and the voice control means, and the second group is divided into at least two groups of terms defined by simple rules and which determine which keywords can be input at a particular time for the purpose of menu control.**

Claim 18:

Schnars teaches **wherein keywords which are displayed on the screen display have an identifier** (see col. 8: table 1: commands having identifiers).

Claim 19:

Schnars teaches **wherein a first group of terms comprises keywords which are displayed at a particular time in an active display area of the screen display and which are made available to the voice control means as a first partial vocabulary** (see col. 3 lines 3-14: commands on the top hierarchy level).

Claim 20:

Schnars teaches **wherein a second group of terms comprises local keywords which are made available to the voice control means as a second partial vocabulary in addition to the first partial vocabulary, and are dependent on the current menu level** (see col. 3 lines 3-14: commands on the lower hierarchy level).

Claim 21:

Schnars teaches **wherein a third group of terms comprises global keywords which are made available to the voice control means as a third partial vocabulary in addition to the first and second partial vocabularies, and are independent of the current menu level and/or of the active display area** (see col. 12 line 54 to col. 13 line 2: "no" command is an example of a global command because the user may return "listing" level independent of the current menu level).

Claim 22:

Schnars teaches **wherein when at least one of the keywords is input by voice, the same function is carried out as in the case of a corresponding manual input with the manual actuating means** (see col. 3 lines 15-22: manual overriding).

Claim 23:

Schnars teaches **wherein when at least one of the keywords is input by voice, a function which is restricted compared to a corresponding manual input is carried out, the restriction of the function being dependent on at least one of the current menu level and the active display area of the screen display** (see col. 3 lines 3-22: hierarchical system of commands input by voice).

Claim 24:

Art Unit: 2175

Schnars teaches **wherein the identification of the keyword in a displayed list is a numbering system of the entries which can be selected by voice input, it being possible to input the corresponding numeral or the corresponding entry by voice in order to select and/or activate an entry** (see col. 8: table 1: numbered commands).

Claim 25:

Schnars teaches **wherein the identification of the entries which can be input by voice is a particular visual representation on the screen display** (see col. 1 lines 28-38: visual outputs).

Claim 26:

Schnars teaches wherein the identification of the entries which input by voice is brought about by at least one of a different color, a different intensity, a different size and a different shape (see col. 1 lines 28-38: visual entries that vary in characters vary in sizes).

Claim 27:

Schnars teaches **wherein when a keyword which is assigned to at least two groups of terms is input, the function which is assigned to at least one of the current menu level and the active display area is carried out** (see col. 3 lines 3-14: commands on the top or lower hierarchy level).



***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**12. Claims 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schnars as cited above, in view of Ichinose, Toshihiko, U.S. Patent No. 6,819,990.**

Claims 28-31:

Examiner relies on Schnars to the recited first, second and third group.

Schnars fails to explicitly teach a screen display comprising of five main display areas.

However, Ichinose teaches a screen display having at least five main display areas displaying groups of entries (see Figures 2A, 2B).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the screen display as taught by Schnars to include at least five main display areas as taught by Ichinose to provide the benefit of presenting to the user multiple options to choose from at a time in an organized fashion.

**(claim 28; i.e., wherein the screen display comprises five main display areas, the**

Art Unit: 2175

**first group comprising entries of at least one of the first and of the third display area.)**

**(claim 29; i.e., wherein the second group comprises all the text entries of at least one of the first, second, third, fourth, and fifth display area.)**

**(claim 30; i.e., wherein the third group of terms comprises keywords for entries of at least one of the second and fifth display area.)**

**(claim 31; i.e., wherein the second group of terms comprises keywords for entries of at least one of the third, fourth, and fifth display area.)**

Claim 32:

Schnars teaches **wherein the groups of terms comprise keywords for dynamic entries which are dependent on at least one of current peripheral conditions and current system states** (see col. 10 lines 20-37: commands dependent on the listening light).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY ORR whose telephone number is (571)270-1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone

Art Unit: 2175

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/30/2010

HO

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